

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

KEVIN RAZZOLI,

Petitioner

v.

UNITED STATES NAVY, et al.,

Respondents

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CIVIL NO. 3:CV-06-1834

(Judge Kosik)

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Petitioner filed this habeas corpus action on September 18, 2006, alleging that he was arrested under a statute that does not exist and claiming that he was denied due process when his parole was revoked. On November 3, 2006, the court issued a Show Cause Order directing Respondents to answer the allegations set forth in the petition. Presently pending before the court is Respondents' Motion for Enlargement of Time of thirty (30) days to respond to the petition. (Doc. 15.) In support of the request, Respondents state that on November 1, 2006, Petitioner requested that his revocation hearing be rescheduled, and that the request was granted. The new date for the revocation hearing is set to be placed on the December docket. Respondents seek the enlargement of time in order to allow the Parole Commission to conduct the

revocation hearing and for the sake of judicial economy. They further state that they intend to file a motion to transfer this habeas matter to the Eastern District of Pennsylvania as it is the more convenient forum.

On the same date Respondents filed the above motion for enlargement of time, Petitioner filed a motion requesting that the court deny any motions for extension of time filed by Respondents due to their alleged past actions of abuse and falsification of evidence. (Doc. 12.) He contends that Respondents have engaged in prior bad acts, including planting a shank in his cell, and therefore should be denied any requests for extensions of time.

The court will grant Respondents' request for an enlargement of thirty (30) days, and deny Petitioner's request to deny any requests made by Respondents for an enlargement of time. A Show Cause Order directing Respondents to answer the allegations in the petition was just issued on November 3, 2006. Respondents set forth solid reasons for their request of an enlargement of time to submit their response. Petitioner has continuously alleged bad faith and fraud on the part of Respondents with regard to other cases he has filed, but has never been successful in demonstrating the same. As such, Respondents will be granted a thirty (30) day enlargement of time from the date of this Order within which to file their response to the petition. Petitioner's motion to deny any requests for enlargements of time will be denied.

**ACCORDINGLY, THIS 29th DAY OF NOVEMBER, 2006, IT IS
HEREBY ORDERED AS FOLLOWS:**

1. Respondents' motion for enlargement of time to respond to the habeas petition (Doc. 15) is **granted**. A response shall be submitted within thirty (30) days from the date of this Order.
2. Petitioner's motion to deny any requests for time extensions (Doc. 12) is **denied**.

s/Edwin M. Kosik

United States District Judge